

BEFORE THE DEPARTMENT OF PUBLIC
HEALTH AND HUMAN SERVICES OF THE
STATE OF MONTANA

In the matter of the amendment of ARM)	NOTICE OF AMENDMENT
37.86.1001, 37.86.1006, 37.86.1807,)	
37.86.2105, 37.86.2217, 37.86.2402,)	
37.86.2405, 37.86.2602, and)	
37.86.2605 pertaining to Medicaid)	
Dental Services, Durable Medical)	
Equipment, Eyeglass Services,)	
Ambulance Services, and)	
Transportation)	

TO: All Interested Persons

1. On May 4, 2006, the Department of Public Health and Human Services published MAR Notice No. 37-380 pertaining to the public hearing on the proposed amendment of the above-stated rules, at page 1126 of the 2006 Montana Administrative Register, issue number 9.

2. The department has amended ARM 37.86.1001, 37.86.1006, 37.86.1807, 37.86.2105, 37.86.2217, 37.86.2402, 37.86.2405, 37.86.2602, and 37.86.2605 as proposed.

3. The department has thoroughly considered all commentary received. The comments received and the department's response to each follow:

COMMENT #1: We support the proposed changes to the rules governing the EPSDT program as drafted in MAR Notice No. 37-380 and appreciate the opportunity to participate in the rulemaking process.

RESPONSE: The department acknowledges and appreciates the comment.

COMMENT #2: The commentor described a situation regarding a licensed nurse providing unreimbursed care for her child because of the difficulty securing qualified private duty nursing services. The commentor supported the proposed changes to the EPSDT private duty nursing rules.

RESPONSE: The department acknowledges and appreciates the comment.

4. These amendments will be applied retroactively to July 1, 2006.

/s/ Russell E. Cater
Rule Reviewer

/s/ Joan Miles
Director, Public Health and
Human Services

Certified to the Secretary of State July 17, 2006.